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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
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09/623,737 09/07/00 DOBRUSIN E 5716-01-CA

HM22/0827

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EXAMINER

TRUONG, T

ART UNIT

PAPER NUMBER

1624

DATE MAILED:

08/27/01

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trademarks

Art Unit: 1624

SUSPENSION

All claims are allowable. However, due to a potential interference, *ex parte* prosecution is **SUSPENDED FOR A PERIOD OF 6 MONTHS** from the date of this letter. Upon expiration of the period of suspension, applicant should make an inquiry as to the status of the application.

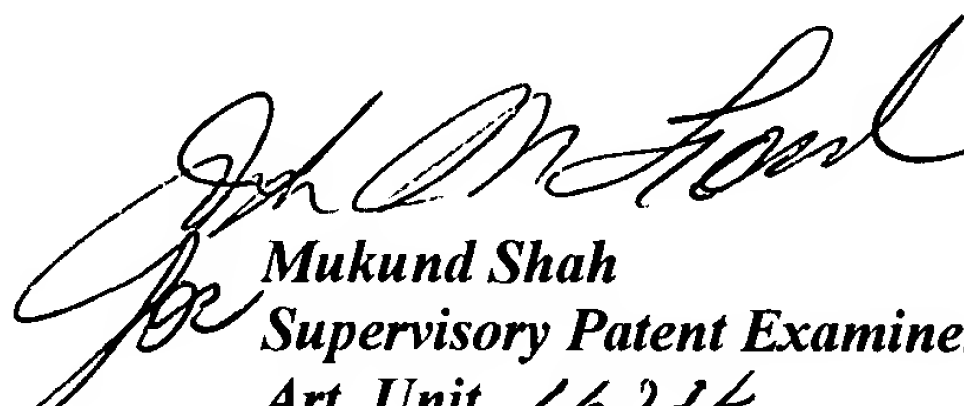
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Tamthom N. Truong whose telephone number is 703-305-4485. The examiner can normally be reached on M-F (9:30-6:00).

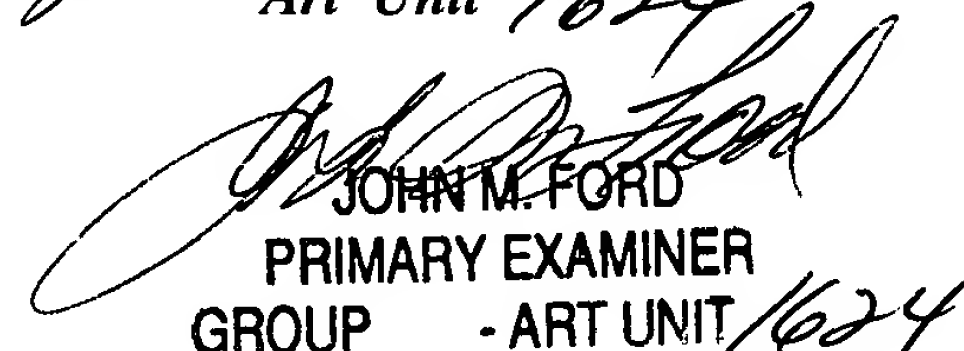
If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mukund Shah can be reached on 703-308-4716. The fax phone numbers for the organization where this application or proceeding is assigned are 703-308-4556 for regular communications and 703-308-4556 for After Final communications.

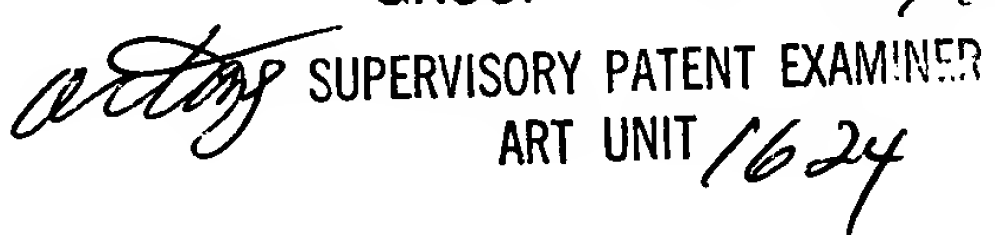
Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-308-1235.

T. Truong

August 24, 2001


Mukund Shah
Supervisory Patent Examiner
Art Unit 1624


JOHN M. FORD
PRIMARY EXAMINER
GROUP - ART UNIT 1624


SUPERVISORY PATENT EXAMINER
ART UNIT 1624

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(g)(1) during the course of an interference conducted under section 135 or section 291, another inventor involved therein establishes, to the extent permitted in section 104, that before such person's invention thereof the invention was made by such other inventor and not abandoned, suppressed, or concealed, or (2) before such person's invention thereof, the invention was made in this country by another inventor who had not abandoned, suppressed, or concealed it. In determining priority of invention under this subsection, there shall be considered not only the respective dates of conception and reduction to practice of the invention, but also the reasonable diligence of one who was first to conceive and last to reduce to practice, from a time prior to conception by the other.

6. Claims 1, 2, 7, 8, and 43 are rejected under 35 U.S.C. 102(g) as being anticipated by Harris et. al. (US 6,150,373). The disclosed formula I embraces the claimed formula I with the following substituents:

- iii. X is O;
- iv. W is NH;
- v. Both R⁸ and R⁹ are hydrogen atoms;
- vi. The dotted line is absent;
- vii. Both G and Z are N atoms.

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Claim Objections

7. Claims 3-6, and 14 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Allowable Subject Matter

8. Claims 9, 11, 13, 16, and 42 are allowable because they are drawn to species that are not taught in US'373 cited in 102(g), nor are they taught in the references provided herein.

Conclusion

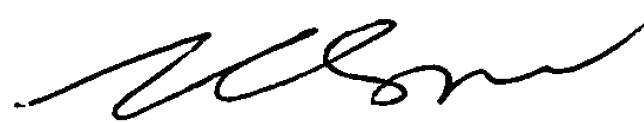
9. **Search Report and IDS:** References cited in the Search Report are also provided as listed on the IDS. Thus, the Search Report is considered just as the IDS get considered herein. Said references are not applied herein because they are relevant to the non-elected groups.

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Tamthom N. Truong
Examiner
Art Unit 1624

February 9, 2001